

**Article ??**

**DESIGN REVIEW COMMISSION  
OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE**

**SIGN ORDINANCE**

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**?-100 Statement of Intent and Purpose**

The Town recognizes and supports the rights of businesses, services, organizations and residents to identify themselves or their products, activities and services. The intent of this Ordinance is to protect residential property values and to create and maintain an attractive and successful business community by avoiding the wasteful and unsightly competition of signage within the town.

The purpose of this Ordinance is to establish regulations as to the size, height, design, quality of materials, construction, location, illumination and maintenance of signs and sign structures. These regulations are further established to regulate commercial and private signage and lighting that may overload the public's capacity to receive information as well as to protect the public health, safety and welfare by decreasing the probability of accidents by distracting attention or obstructing vision.

Signage that directs persons to various businesses, services and activities that is in keeping with the quality and character of the community will enhance the community's economic value and coordinate the mutual desire of the business and residential communities to maintain, preserve, and enhance the scenic and natural beauty of the Town of Signal Mountain.

Provisions for the administration and enforcement of this Ordinance are included, as well as provisions for the elimination of nonconforming signs.

## **?-101 Definitions**

The following words and phrases, as used in this ordinance, shall have the meanings ascribed to them in this section:

A-frame sign. Any two-sided sign including sandwich boards, hinged or attached at the top of the sign panels, identifying, advertising or directing attention to a business, product, operation or service sold or offered in the building in front of which the sign is located during business hours.

Abandoned sign. Any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, missing letters or which is otherwise dilapidated, unsightly, unkempt, and for which no person accepts maintenance responsibility or a sign for a business that is out of business for over thirty (30) days.

Animated sign. Any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.

Audible sign. Any sign which emits a sound that is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.

Awning/canopy sign. Any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Banner. A temporary sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, vinyl or fabric that is intended to be hung either with a frame or without a frame.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Billboard. A freestanding sign containing information for an off-site business or organization with an area of more than one-hundred twenty (120) square feet.

Business. An organization or enterprising entity engaged in commercial, industrial or professional activities.

Canopy. See “Awning/canopy signs”, excluding usage of such for automobile service station.

Changeable copy sign, manual or electric. Any sign that incorporates changing lights, lettering or images to form a sign message or messages, whether such changes are accomplished electronically, automatically or manually and whether or not the message is composed of electrically illuminated segments. This definition includes marquee, reader boards and electronic message boards.

Channel Letter. A fabricated or formed three-dimensional letter.

Commerce Center. A building or buildings on a single lot occupied by two or more businesses.

Directional sign. Any on-premise sign whose message is exclusively limited to guiding the circulation of motorists and/or pedestrians.

Directory sign. Used for multi-tenant buildings to provide a directory of tenant locations within the building.

Flag. Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other legal entity or legally organized organization.

Flashing sign. A sign with illumination that is not kept constant in intensity at all times when in use and that exhibits marked changes in lighting effects.

Freestanding sign. Any sign supported by structures or supports that are placed on or anchored in the ground that is independent from any building or other structure.

Graffiti. Unauthorized writing or drawing on the façade of any building, sign, path, accessory structure, wall, fence or other site element.

Graphic Design. Any artistic design or portrayal depicted on an exterior wall, fence, awning, window or other structure which is visible from any public right-of-way, and which has as its purpose artistic effect, and not the identification of the premises or the advertisement or promotion of the interests of any private or public firm, person, or organization.

Height. The height of a sign shall be measured from the ground adjacent to the sign to the top of the sign and support structure. If the ground under the sign slopes, the height shall be measured from the average grade under the sign itself.

Illuminated sign, external. A sign illuminated by an external light source.

Illuminated sign, internal. A sign illuminated by an internal light source.

Light, full cut-off. A luminaire that has no direct up-light (i.e., no light emitted above horizontal).

Light, fully shielded. A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

Lot. A parcel of land that is of sufficient size to meet minimum zoning requirements for lot area, coverage, and use and that can provide such yards and other open spaces as required by the provisions of the Zoning Ordinance.

Marquee sign. A sign with changeable copy placed on any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Menu Board sign. A permanently mounted sign displaying the type and price of food and beverages for a drive-through restaurant.

Monument. A freestanding sign with a base width greater than or equal to the width of the sign face.

Moving sign. A sign which revolves, rotates, swings, undulates or otherwise attracts attention through the structural movement of parts.

Multi-tenant. One or more buildings, located on a single premise or development, containing two (2) or more separate and distinct individual establishments that occupy separate portions of the building or buildings and are physically separated from each other by walls.

Nameplate. A sign with a message that identifies only the name and/or address of the occupant.

Neon Sign and Faux Neon. Signs made using electrified, luminous tube lights that contain rarefied neon or other gases or backlit signs that have the appearance of using electrified, luminous tube lights that contain neon or other gases.

Obscene. Material is obscene if to the average person, applying contemporary community standards, taken as a whole, it predominantly appeals to the prurient or unacceptable interest.

Off-site sign. Means a sign that is not an “On-site Sign”.

On-site sign. Means a sign located on the same parcel of land from which the product, service or activity described by the sign is made available.

Pennant, streamer. Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind.

Permanent sign. Any mention of a sign in this Ordinance shall be considered to mean “permanent sign” unless a time limit is specified or such sign is referred to as a “temporary sign”.

Permit. A sign permit reviewed, approved and issued by the Town of Signal Mountain.

Permittee. The person and/or entity owning or leasing the land on which the sign is erected or for which an application has been submitted.

Person. A natural or legal entity including a firm, organization, partnership, trust, and corporation.

Pole Sign. A freestanding sign mounted on a single-structural support.

Political sign. A sign with a message advocating a particular candidate, party or proposition.

Portable sign. A sign that is not permanently affixed to the ground or a structure and is designed to be moved from place to place. Examples include A-frame signs that are self-supporting after setup.

Post and panel. A freestanding sign supported by more than one structural support.

Principal building. The building in which the principal use of the lot is conducted. Non-residential lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other structures with clearly accessory uses shall not be considered principal buildings.

Projecting sign. A sign erected upon a building wall or canopy and projecting more than twelve (12) inches outward from the plane of the business façade.

Public sign. All classes of government signage including but not limited to traffic, health and public safety; crime control and prevention; official notices or advertisements related to any court action; the location of underground utilities; and any other community service sign approved by the Town.

Reader board sign. A sign constructed to display an advertising message that may be changed by manual, electronic or other manipulation of letters or numbers on its face(s).

Real estate sign. A temporary sign with a message announcing the offer to build on, sell, rent or lease the premises upon which it is displayed.

Roof sign. Any sign erected and constructed wholly on and over the roof of a building or supported by the roof structure.

Sign face. That part of a sign that is or can be used for advertising or informational purposes.

Sign. Any device, fixture, placard or structure affixed to, supported by, or suspended by a stationary object, building or the ground that uses any color, form, graphic, illumination, symbol or writing to communicate information of any kind to or attract the attention of the public

Sign kiosk. A freestanding bulletin board having more than two faces intended for the posting of temporary flyers or notices.

Special event sign. A temporary banner or sign with a message identifying a civic or public event or holiday.

Temporary sign. Any sign of non-permanent nature.

Town Council. The Town Council of the Town of Signal Mountain.

Town. The Town of Signal Mountain.

Water tower. A tower or standpipe serving as a reservoir to deliver water at a required head whether in use, no longer in use or an architectural feature.

Wall sign. Any sign attached parallel to a wall or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, that displays only one sign face.

Window sign. Any sign that is affixed to the exterior of the window or within one (1) foot of the interior of the window that is visible from the exterior of the structure. Merchandise displayed for sale is excluded.

Yard sign. A temporary sign displayed on the days when a garage sale, yard sale, moving sale, estate sale or similar event involving the occasional sale of used household goods on residential property.

## ?-102 **Application Procedure**

### ?-102.1 **General**

All signs regardless of zoning designation shall be subject to review by the Signal Mountain Design Review Commission. However, signs that are “Exempt” per Chapter \_\_\_\_-102 or signs undergoing normal maintenance in conformance to their original appearance shall not require DRC review or approval.

Application forms to apply for Sign Permits are available at the Town Hall. Applicants are advised to consult the building official and familiarize themselves with these regulations prior to the purchase or the installation of any signage.

### ?-102-2 **Application for Sign Permit**

The owner or his designated agent shall submit an Application for a Sign Permit along with the appropriate fee to the building official for referral to the Design Review Commission. The day and time of the hearing will be confirmed by the building official.

The Application along with one (1) paper copy and one (1) PDF of the following documentation are required for review:

1. A written description of the desired signage. The description may be brief, but shall include information on existing conditions and each element of the overall project.
2. Fully labeled color photographs of the property and proposed signage locations.
3. Scaled drawings of proposed signage:
  - a. Drawings for wall signs must include a scaled drawing of the facade(s) on which the signage will be placed.

- b. For freestanding signs, a site plan must include the location of signage and the relationship to existing buildings and other site features on the property.
4. A list of proposed materials and colors, including manufacturer's specifications. If possible, materials/samples should also be brought to the meeting.
5. Information illustrating the design and type of lighting, if any. A detailed manufacturer specification of the fixture shall be submitted.

**NOTE:** Signs requiring construction of posts, pedestals, bases or other framework may also require a building permit that the building official will be issue upon the DRC's approval of the sign.

### ??-103 **Exemptions**

The following signs may be erected without a sign permit when non-illuminated (except where specified), containing a characteristic of an approved sign, containing no reflective paint, and when complying with the height and size limitations specified.

1. Directional signs on private property up to four (4) square feet whose message is exclusively limited to directing and guiding traffic and parking on private property. Such signs may be in the shape of a square, rectangle, circle or oval, but may not display a logo.
2. Yard signs, not to exceed six (4) square feet, may be erected for not more than one (1) week during any consecutive ninety (90) day period.
3. Special event signs, each not exceeding four (4) square feet, may be erected for not more than fourteen (14) days with permission of the property owner. These signs shall be

removed not more than three (3) days following the conclusion of the event.

4. Flags and insignia of any government except when displayed in connection with a commercial promotion.
5. Non-illuminated signs located on private property that cannot be seen from a public street or right-of-way.
6. Legal notices and warnings, regulatory, informational or directional signs erected by any public agency or utility.
7. Signs, unlighted, not exceeding two (2) square feet in area and bearing only property numbers, mail box numbers, and the name and owner or occupant of the premises.
8. Holiday decorations in season.
9. Integral decorative or architectural features of buildings, including signs that denote only the building name, date of erection or street number. Such signs shall be permitted as exemptions when cut into any masonry surface or implanted with a metal plate.
10. Changeable copy portion of signs for automobile service stations or other establishments engaged in the retail sales of gasoline, provided that the changeable copy area does not exceed eight (8) square feet in area. Any such changeable copy portion shall be affixed to a permitted freestanding identification sign, to a canopy support in the vicinity of the gasoline pumps or flat mounted against the wall of a building.
11. Political signs, each not exceeding four (4) square feet, located on private property with the owner's permission.

12. One (1) on-site real estate sign not to exceed nine (9) square feet.
13. One off-site real estate sign when the location of the dwelling is not viewable from the intersection of a public street and the access way to the parcel, provided that the sign is located within twenty-five (25) feet of the public street intersection, and that written permission of the property owner is secured.
14. Corner stones, historical tablets and the like but not including memorial plaques.
15. Two (2) exposed gaseous illumination tube signs installed behind an exterior store window, but limited to an "Open" sign and one (1) additional sign with logo and/or graphic only if they are located behind an exterior store window and do not contribute to blocking 25% of the window area.
16. Sandwich board at business entrances if they do not interrupt the flow of pedestrian traffic, are only present during business hours, and do not exceed nine (9) square feet.
17. Address numbers and letters six (6) inches or less.
18. Vehicle signs, when the vehicle is licensed and/or owned and operated by the owner of the property or by a leaseholder of the property, in residential zones.
19. Vehicle signs in commercial zones that meet the following conditions:
  - a. Vehicle is licensed and/or owned and operated by the owner of the property or by a leaseholder of the property.

- b. Vehicle is in operating condition, currently registered and licensed to operate on public streets.
- c. Signage is placed upon the vehicle.
- d. Vehicle is parked in a designated parking space and is not used as a stationary display sign.

The intent of this exemption is to allow business owners/operators to park company vehicles on their property and/or in close proximity to their businesses, but to prohibit them from using their vehicles as signage.

#### **?-104 Prohibited Signs**

A Prohibited Sign is defined as any sign not specifically identified in these regulations as a permitted sign. The following signs and characteristics of signs shall be prohibited:

1. Fringe, twirling, or portable display signs, streamers or air or gas filled figures.
2. Promotional beacons, searchlights or laser lights or images.
3. Audible signs.
4. Signs in a public right-of-way other than those belonging to a government or public service agency.
5. Signs mounted on trees, utility poles, water towers or other similar structures, architectural features, traffic signals or traffic control boxes or cell towers.
6. Signs mounted on top of a roof or false roof structure.

7. Signs erected upon trailers or portable rigs with intent to promote a business.
8. Signs that depict obscene material.
9. Signs that advertise an activity that is illegal under federal, state or local laws.
10. Signs in poor repair, in violation of codes or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures or missing letters.
11. Abandoned signs.
12. Animated signs, flashing signs, and rotating signs.
13. Changeable copy signs, manual or electronic, excluding price signs at automobile service stations.
14. Signs which contain or are an imitation of an official traffic sign or signal or contain the words "stop", "go", "slow", "caution," "warning", or similar words in such a manner as to resemble official traffic control signs.
15. Graffiti.
16. Sign Kiosks.
17. Signs attached/painted on natural objects such as rocks, boulders, etc.
18. Product facsimile signs.
19. Marquee signs.
20. Billboards.

21. Signs erected in such a manner that any portion of the sign or its support is attached to or may possibly interfere with the free use of any fire escape, entrance, exit or standpipe or that will or may obstruct any required stairway, door ventilator or window.
22. Signs erected that will or reasonably may be expected to interfere with, obstruct, confuse or mislead vehicular traffic.
23. Signs with flashing or alternating lights or changing colors.
24. Signs constructed to incorporate wind-blown materials, moving parts or the appearance of motion by use of flashing or reflected light or other devices except for time/temperature, which may be permitted.
25. Light box signs.
26. Internally lit channel letters (not to include backlit).
27. Signs attached to or painted on a vehicle parked and visible from the public right-of-way unless it is used for transporting people or materials in the normal day-to-day operations of the business.
28. Vehicle signs that do not meet the requirements of "Exemptions".

## ?-105     **Banners**

1. Temporary Commercial Banner Permit.
  - a. New or relocating business: The building official shall grant one (1) Temporary Banner Permit to a new or relocating business for a period of eight (8) weeks in lieu of a permanent sign. Concurrently, business

owners shall apply for a Permanent Sign Permit. No banner shall exceed twenty-five (25) square feet.

- b. Business advertising: Businesses located in commercial zones may also apply for a Temporary Banner Permit for advertising purposes restricted to the following:

- (1) Permits may be granted no more than four (4) times a year.
- (2) Banners may be displayed for no more than fourteen (14) consecutive days.
- (3) Banners will be removed promptly. If not, the Town will remove them at a charge to the permittee.

- 2. Temporary Special Event Banner: The building official shall grant Temporary Banner Permits to nonprofit, educational, religious or civic organizations for publicizing special events restricted to the following:

- a. A contact person responsible for oversight must be named in the permit.
- b. Permits may be granted no more than four (4) times a year.
- c. Banners may be displayed no more than fourteen (14) consecutive days.
- d. Banners will be removed promptly. If not, the Town will remove them at a charge to the permittee.

## ?-106 **General Design Guidelines**

- 1. Location. Signs for individual businesses should be integrated into the façade. The size and shape of the signs should be compatible with the overall design of the building. Signs should not obscure architectural details on the facade. Signs should be installed on vertical surfaces

and not project higher than the roofline. Ground mounted signs should be incorporated into the overall landscaping plan and should be located as close as feasible to the ground.

3. Size. Signs should maintain a modest scale. Signs need to be large enough to be legible, but oversize signage can create distractions for motorists and otherwise create nuisances for adjacent property owners.
4. Consistency. Signs within a commercial development should maintain a high level of visual consistency in size, material and location within the architecture of the building and among other separate signs. Signs should be designed as an architectural element of the building and should reflect or compliment the architectural style of the building.
5. Design. Simple shapes are preferred for all signage as is high-quality graphic design that is easily legible. Signs should normally consist of individual three-dimensional letters and numbers only, but the use of logos or some graphic elements may be permitted. Generally, such graphic elements are restricted to no more than ten (10) percent of the sign area. Small signs (less than 12 square feet) may be monolithic particularly where the size and style of the framing adds richness to the final appearance.
6. Construction. Signs should be constructed of durable materials such as stone, brick, wood and wood simulating materials. Materials should complement the architectural style of the building and contribute to the overall quality of the development and be arranged in logical fashion (lighter above heavier) and in relationship to other materials in terms of percentage (not equal or dominating). Reflective materials other than glass should be avoided. In general, the selection of materials should also contribute to the overall character of the neighborhood or town.

7. Lighting. Signage lighting should be given adequate attention to detail. Simple, external illumination fixtures should be complementary of building architecture and the sign itself. For most light fixtures, the illumination source should not be visible. Certain backlit illumination creating a halo effect may be appropriate, as may other new lighting technology or design detail.

?-107     **Allowable Signage**

1. Commercial.
  - a. Each multi-tenant development shall have one (1) primary sign of no more than 25 square feet per face. The multi-tenant development sign should be used to identify the development and shall not be a directory sign.
  - b. Each business/tenant shall have one primary sign of not more than twenty-five (25) square feet.
  - c. A secondary sign of up to twenty-five (25) square feet for each multi-tenant development or business/tenant may be considered under the following conditions:
    - (1) Length of street frontage greater than 100 linear feet.
    - (2) Location on street intersection.
    - (3) Use as a drive-through establishment.
    - (4) Principal use is small scale and oriented to pedestrians.
    - (5) For replacement of non-conforming signs.
    - (6) Hardships related to the site including but not limited to topography or sight distance.

2. Churches and Schools. Signs identifying churches and schools shall not exceed twenty-five (25) square feet per face regardless of street frontage and shall comply with the provisions of this Ordinance.
3. Subdivisions/Residential Developments. Signs identifying subdivisions and residential developments (including apartments, condominium, and townhouses) shall not exceed twenty-five (25) square feet per face regardless of street frontage and shall comply with the provisions of this Ordinance.
4. Development and Construction Signs. One (1) construction sign is allowed for each active development and construction project. Signs specifications for development and construction sites shall be allowed as follows:
  - a. A sign for a single-family residence shall not exceed six (6) square feet.
  - b. Signs for projects other than a single-family residence shall not exceed twenty-five (25) square feet.
  - c. Development and construction signs shall be removed within three (3) years or after two-thirds (2/3) of the project's units have been occupied, whichever comes first.

## **?-108 Signage Lighting**

The following lighting standards apply only to signage illumination. Illumination where permitted shall be subject to the following limitations:

1. No signs shall be internally illuminated including, but not limited to, box signs.
2. Signs where illumination creates a backlit, halo-like effect around the sign or sign elements may be allowed.

3. External light sources shall be fully shielded so that the light intensity will not create glare and will prevent direct illumination of any object other than the sign.

## ?-109 **Determining Sign Area and Calculating Size**

For the purpose of applying sign size regulations, the following criteria shall be used to calculate sign area:

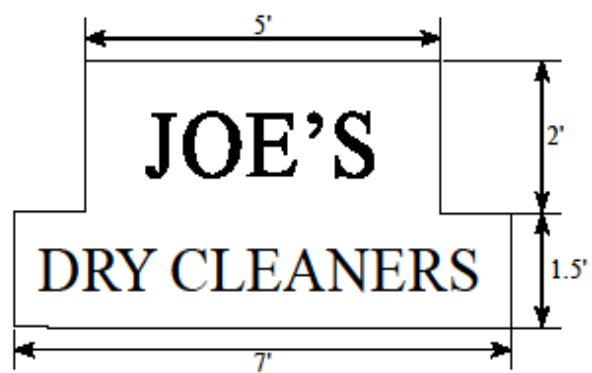
### 1. Determining Sign Area

- a. For single-faced signs, area shall be that within the outermost perimeter of the sign. A single-faced sign is a sign constructed so its message is displayed in a single plane and is viewable from only one side of the plane.
- b. For double-faced signs, area shall be that within the outermost perimeter of one face of the sign. A double-faced sign is a sign constructed to display its message(s) on the outside surfaces of two (2) identical and/or opposite parallel planes, provided the planes are not more than four (4) feet apart.
- c. Signs with three or more faces are not permitted. A multiple-faced sign is a sign constructed to display its message either on a curved surface or on two or more planar surfaces.

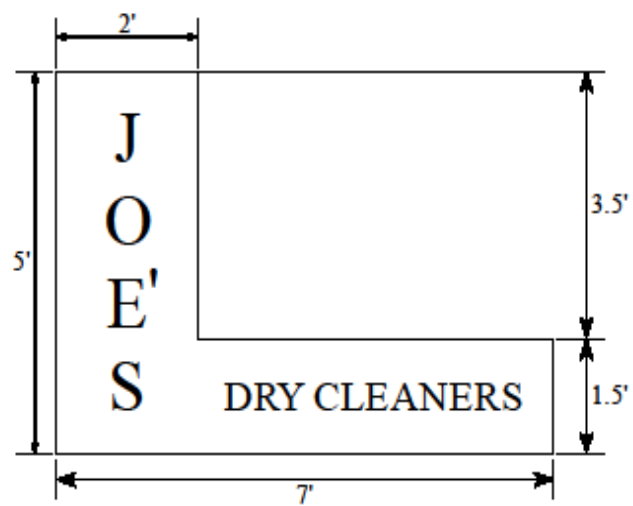
### 2. Calculating Size

Sign area is calculated by determining the number of square feet of the smallest square or rectangle(s) within which the sign face can be enclosed. The total sign area is the sum of all individual sign areas, including the area of a rectangle enclosing any message, logo, symbol, name,

photography or display face is the sign surface area. See following diagram:



Sign Area = 20.5 square feet.



Sign Area = 17.5 square feet.

- a. Height. The height of a sign shall be measured from the ground adjacent to the sign to the top of the sign and support structure. If the ground under the sign slopes, the height shall be measured from the average grade under the sign itself.
- b. Clearance. Where permitted, awnings, canopies, projecting, and suspended signs shall conform to the following requirements:
  - (1) Vertical. The minimum clearance between the lowest point of a sign and the grade immediately below shall be eight (8) feet over private sidewalk areas.
  - (2) Horizontal. The minimum horizontal clearance between a sign and the public right-of-way shall be 2 feet; the maximum projection over a private sidewalk shall be two-thirds (2/3) the width of the sidewalk or 6 feet, whichever is less.
- c. Setbacks. Freestanding signs shall be no less than 25 feet from street right-of-ways.
- d. Wall Placement. If a sign is attached to a wall, only that portion of the wall onto which the sign face or letters are placed shall be calculated in sign area. When separate letters or graphics are attached to a wall, then the sign area shall be determined by drawing a square or rectangle around all type and markings associated with the sign.
- d. Sign Support. Signs should be self-supporting without the use of guy wires or unsightly bracing.

Framework that is clearly incidental to the sign itself shall not be computed in the sign area.

## ?-110 **Types of Signs**

The following details types of signs and their recommended uses and requirements:

1. Monument Signs. Monument signs are typically used where building setbacks, orientation or design make it difficult to provide other types of signage, such as wall signs, that are plainly visible to people who are trying to identify a use. These often identify multi-tenant developments, churches, schools and subdivisions. These signs should be designed so that the style of the sign and its base are consistent with the architecture of the buildings on the site.
  - a. Monument signs shall be located within a green or landscaped area with a minimum setback of ten (10) feet from the property line or sight-triangle requirement, whichever is greater. Adequate landscaping shall be provided to blend the sign into the site.
  - b. The bottom edge of a monument sign must be in continuous contact with the structural base and a minimum of twelve (12) inches above grade.
  - c. Monument signs may be incorporated into a retaining wall or masonry wall.
  - d. Monument signs shall be no higher than four (4) feet.
2. Post and Panel Signs. Free-standing post and panel signs are primarily used to identify office or retail uses. They are similar to monument signs, except they do not have a base

other than the support posts. They can have a single or double face. The colors and materials used for the sign shall be compatible with the associated building design.

- a. Post and panel signs shall not exceed twenty-five (25) square feet per face and total sign area shall not exceed fifty (50) square feet total of all faces.
  - b. The bottom edge of a post and panel sign shall be a minimum of twelve (12) inches above grade.
  - c. Post and panel signs shall be set back a minimum of ten (10) feet from the property line or site triangle, whichever is greater.
  - d. Post and panel signs shall be a maximum of four (4) feet in height and shall be landscaped to blend into the site.
3. Wall or Facade Sign. Wall signs include most types of signage that are attached to the face of a building wall. These include channel letters.
- a. Signs mounted on buildings shall be integrated with the architecture of the building and shall not project above or beyond the drip line of sloped roof buildings.
  - b. Wall signs may be placed either directly onto the building surface or other background surface and are generally located either above windows, adjacent to entry doors or on surfaces such as fascias specifically designed for signage.
  - c. Wall signs shall have a maximum total sign area of twenty-five square feet unless located on a corner

with frontage on two streets, in which case it may be allowed 25 square feet for each frontage.

4. Projecting Signs. Projecting signs are attached to a building face and project out perpendicular to the building wall. Projecting signs are effective when oriented to pedestrians on the sidewalk level.
  - a. Projecting signs shall originate from the main store/building front and be no larger than twelve (12) square feet.
  - b. No projecting sign shall extend more than four (4) feet beyond a building roofline.
  - c. A minimum ground clearance of eight (8) feet shall be required for any sign projecting over a pedestrian walkway.
5. Window Signs. Window signs should be scaled to pedestrians and oriented to window shoppers on the sidewalk, as opposed to vehicles passing by. Window signs should be limited to small graphics and text that serve to frame a window or provide information.
  - a. Window signs shall occupy no more than 25% of the area of the window to which they are erected.
6. Building Directory Signs. Directory signs are used for multi-tenant buildings or commerce centers to provide a directory of tenant locations within the building or development. Most directory signs are small in scale and oriented to pedestrians.
  - a. Directory signs may be fixed on an exterior wall of the building. One directory sign may be permitted per multi-tenant building.

- b. Wall mounted directory signs shall be no larger than 12 square feet in area. Individual letters may not exceed six (6) inches in height.
- 7. Canopy or Awning Signs. Canopy and awning signs shall not cover more than twenty-five (25) percent of the canopy or awning or exceed twenty-five (25) square feet in size, whichever is smaller.
- 8. Hanging and Suspended Signs. Hanging signs or suspended signs are used to help define entries and identify business names to pedestrians. They are small and can hang over a building entry.
  - a. A minimum ground clearance of eight (8) feet shall be required for any sign hanging or suspended over a pedestrian walkway.
  - b. Hanging and suspended signs shall be no larger than twelve (12) square feet.
- 9. Menu Board Signs. Menu Board signs are appropriate for drive-through restaurants only.
  - a. Proposed location of menu boards shall be approved by the DRC.
  - b. The maximum height shall be six (6) feet.
  - c. Menu board signs shall not exceed twenty-five (25) square feet.
  - d. Dimensions do not count toward overall sign square footage.
  - e. Speakers shall meet the requirements of zoning and Town Code.

## **?-111 Administration and Variances**

The Town Council is authorized to permit variances in the administration of this Ordinance when unusual circumstances, hardship on the property, and/or practicality justify the granting of a variance. Part of the intent of this Ordinance is to promote creativity in signs. To apply for a variance, a person must file a petition with the Council setting forth what variance is requested and the reasons for the request.

The Town Council shall administer all applications and all petitions for new sign variances of a permanent nature. The Town Council can hold a hearing on such petition if it so desires.

The Town Manager is authorized to permit temporary variances for non-profit organizations only in the administration of this Ordinance and may hold a public hearing on such if he/she so desires. The Town Manager is authorized to permit temporary variances of not more than fourteen (14) consecutive days and/or thirty (30) days during any twelve (12) month period. The maximum number of temporary locations shall be eight (8) at any time.

## **?-112 Enforcement**

The building official shall have the authority to order the removal or modification of any new sign that does not meet these requirements according to the following procedures:

1. The owner of the sign, the occupant of the premises on which the sign is located, and the person or firm maintaining the same shall, upon written notice by registered or certified mail from the building official, remove or modify the sign or structure within thirty (30) days in a manner approved the building official.
2. If the order is not complied with within thirty (30) days, the building official or his designated agent shall issue a second

written notice in person or by registered or certified mail indicating that if the appropriate action does not take place within fifteen (15) days, the Town will remove the sign at the sign owner's cost.

3. If the sign is not removed or modified with the fifteen (15) days granted by the second notice, the building official shall order the removal of the sign by the Town. The cost of this work shall be charged to the property owner and a lien on the property in that amount shall exist until the Town is reimbursed.

### **?-113 Non-Conforming Uses**

All signs deemed non-conforming by this Chapter shall be made to comply with the requirements of this Ordinance if one of the following situations occurs:

1. Any modification of sign appearance, other than normal maintenance necessary to retain the original appearance of the sign.
2. Removal of the sign, except when removal is done for maintenance or relocation to new location and the sign is re-erected within fourteen (14) days.
3. Change of use or business or termination of the business that existed. A business will have one year to comply when ownership changes, but the type of business remains the same.
4. Destruction or deterioration of the sign to an extent that the current cost of repair exceeds fifty percent (50%) of the current cost of constructing a new sign that duplicates the old sign.

#### **?-114 Maintenance**

All signs shall be continuously maintained in conformance with the standards of appearance extant at the time of original erection. Deteriorated or damaged paint and construction materials shall be immediately renewed.

#### **?-115 Abandoned Signs**

The Town Council may, at its discretion, order the removal of an abandoned sign if thirty (30) days have elapsed since the owner of the property on which the sign is located was notified in writing.

#### **?-116 Penalties**

Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined fifty dollars (\$50). Each day's continuance of a violation shall be considered a separate offense. The owner of any sign, building or premises or part thereof, where anything in violation of this Ordinance shall be placed or shall exist, and any person, who may have knowingly assisted in the commission of any such violation, shall be guilty of a separate offense.